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Paper No. 17

In re Application of :  
William Alfond *et al* : DECISION ON PETITION  
Application No. 09/991,101 :  
Filed: November 21, 2001 :  
Attorney Docket No. 03822-P0173A GSW/DC :

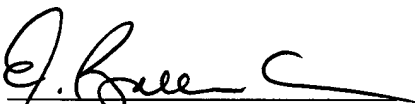
This is a decision on the petition filed by on October 1, 2004 by which petitioners are requesting withdrawal of the holding that this application stands abandoned for failure to file a timely and proper reply to the Office letter dated September 10, 2003. The petition is considered pursuant to 37 CFR 1.181, and no fee is required.

The petition is granted.

The record shows that a revocation of power of attorney and a change of correspondence address was filed on May 21, 2003, and accepted. However, the Notice of Acceptance was mailed to an erroneous correspondence address, as was the Office letter in question. It is clear, as alleged by petitioners, that petitioners did not receive the Office letter in question.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. This application is being forwarded to the Head Supervisory Applications Examiner to change the power of attorney and correspondence address to agree precisely with the information set forth in paper No. 11, the revocation and power of attorney filed o May 21, 2003. Thereafter, the Office letter dated September 10, 2003, will be re-mailed, together with all attachments thereto. The date for filing a reply to the re-mailed Office letter will run three months from the date of the re-mailing, subject to extensions of time under 37 CFR 1.136(a). Failure to file a timely reply will result in abandonment. In no case may the time for reply be extended to run more than six months from the date of re-mailing. See 35 USC § 133.

PETITION GRANTED.

  
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